

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Campos	Team: Squad #16	CCRB Case #: 201704786	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/14/2017 11:00 AM	Location of Incident: § 87(2)(b) 113th Precinct Stationhouse	Precinct: 113	18 Mo. SOL 12/14/2018	EO SOL 12/14/2018	
Date/Time CV Reported Wed, 06/14/2017 1:10 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 06/14/2017 1:10 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. An officer			113 DET
2. POM Derek Wilkins	14363	943955	113 PCT
3. POM Robert Morris	18322	930783	113 PCT
4. DT3 Jessica Romance	03441	941641	113 DET

Officer(s)	Allegation	Investigator Recommendation
A.POM Derek Wilkins	Abuse: At § 87(2)(b) in Queens, Police Officer Derek Wilkins damaged § 87(2)(b) and § 87(2)(b) s property.	§ 87(2)(b)
B.POM Robert Morris	Abuse: At § 87(2)(b) in Queens, Police Officer Robert Morris damaged § 87(2)(b) and § 87(2)(b) s property.	§ 87(2)(b)
C.POM Derek Wilkins	Abuse: Police Officer Derek Wilkins entered and searched § 87(2)(b) in Queens.	§ 87(2)(b)
D.POM Robert Morris	Abuse: Police Officer Robert Morris entered and searched § 87(2)(b) in Queens.	§ 87(2)(b)
E.POM Robert Morris	Abuse: At § 87(2)(b) in Queens, Police Officer Robert Morris damaged § 87(2)(b) and § 87(2)(b) s property.	§ 87(2)(b)
F.POM Derek Wilkins	Abuse: At § 87(2)(b) in Queens, Police Officer Derek Wilkins threatened to arrest § 87(2)(b)	§ 87(2)(b)
G.POM Robert Morris	Abuse: At § 87(2)(b) in Queens, Police Officer Robert Morris seized § 87(2)(b) s property.	§ 87(2)(b)
H.DT3 Jessica Romance	Abuse: At the 113th Precinct stationhouse, Detective Jessica Romance did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.	§ 87(2)(b)
I. An officer	Abuse: At the 113th Precinct stationhouse, an officer did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.	§ 87(2)(b)
J.POM Derek Wilkins	Abuse: At the 113th Precinct stationhouse, Police Officer Derek Wilkins did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.	§ 87(2)(b)

Officer(s)	Allegation	Investigator Recommendation
K.POM Robert Morris	Abuse: At the 113th Precinct stationhouse, Police Officer Robert Morris did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.	

Case Summary

On June 14, 2017, § 87(2)(b) filed this complaint with the CCRB on behalf of himself and § 87(2)(b) via telephone.

At approximately 11:00 AM on June 14, 2017, § 87(2)(b) was alone on the second floor of her and § 87(2)(b)'s home, § 87(2)(b) in Queens, when she heard a loud booming sound coming from the first floor of the building. § 87(2)(b) walked to the first floor to find that Police Officer Derek Wilkins and Police Officer Robert Morris of the 113th Precinct had broken into her front door, and where standing inside the home (**Allegation A, B, C, and D**). § 87(2)(b) asked the officers what they were doing inside her home, and the officers accused her of breaking into the home. § 87(2)(b) denied breaking into the home and informed the officers that she was a resident of the building. PO Wilkins informed § 87(2)(b) that the officers had to check if anyone was inside the home, and walked upstairs with PO Morris following (**Allegation C and D**, continued). Upstairs, the officers looked inside a bedroom and asked § 87(2)(b) about her residency status. PO Morris entered the second floor restroom. When he emerged he stated that the home was falling apart and touched a hallway wall, causing a piece of the wall to fall off (**Allegation E**). PO Morris asked § 87(2)(b) for her identification, and she provided it to him. Before the officers left PO Wilkins stated, "We could arrest you right now, so I suggest you leave," to § 87(2)(b) (**Allegation F**). The officers left the home and spoke to two individuals outside, including a local community leader, § 87(2)(b) § 87(2)(b) § 87(2)(b) realized that PO Morris did not give her back her ID. § 87(2)(b) called PO Morris back to her home and asked him for her ID, but PO Morris told her that he did not know what she was talking about. § 87(2)(b) was not given her ID back (**Allegation G**). § 87(2)(b) called § 87(2)(b) and informed him of what had just taken place.

At approximately 3:00 PM that same day, § 87(2)(b) and § 87(2)(b) appeared at the 113th Precinct stationhouse and spoke to Detective Jessica Romance of the 113th Precinct Detective Squad and an unidentified officer. § 87(2)(b) and § 87(2)(b) informed Det. Romance and the unidentified officer that they wished to make a complaint. Det. Romance and the unidentified officer stated that they could not file a report until PO Wilkins and PO Morris were present. § 87(2)(b) asked if he could file the complaint without the officers presence and Det. Romance and the unidentified officer stated that he could not (**Allegation H and Allegation I**). PO Wilkins and PO Morris appeared at the stationhouse, and § 87(2)(b) informed them they he and § 87(2)(b) wanted to file a complaint. The officers told § 87(2)(b) that he could not file a complaint without proof of address, and a complaint was not generated (**Allegation J and Allegation K**). § 87(2)(b) and § 87(2)(b) left the stationhouse.

This complaint is 126 days old. This case passed the 90 day benchmark because of delays in obtaining a follow up phone statement from the complainant.

An agency attorney was consulted for this case.

Mediation, Civil and Criminal Histories

- This case was unsuitable for mediation because of the property damage allegations and because § 87(2)(b) stated that she and § 87(2)(b) planned to file a lawsuit during her CCRB interview (Board Review 01).

- On September 19, 2017, the Comptroller's Office confirmed that no Notice of Claim was filed by or on behalf of § 87(2)(b) in regards to this incident (Board Review 02).

- § 87(2)(b); §§ 86(1)(3)(4); § 87(2)(c)

- § 87(2)(b); §§ 86(1)(3)(4); § 87(2)(c)

Civilian and Officer CCRB Histories

- § 87(2)(b)

- This is § 87(2)(b)'s first complaint with the CCRB (Board Review 06).
- PO Wilkins has been a member of service for 10 years. There is one previous allegation against PO Wilkins stemming from one prior complaint. There are no substantiated allegations against PO Wilkins. § 87(2)(g)
- PO Morris has been a member of service for 15 years. There are eight allegations against PO Morris stemming from six prior complaints. There are no substantiated allegations against PO Morris. § 87(2)(g).
- Det. Romance has been a member of service for 11 years. There 16 allegations against Det. Romance stemming from five prior complaints. There are no substantiated allegations against Det. Romance. § 87(2)(g)

Potential Issues

- PO Wilkins and PO Morris stated that they received a report of a break-in local neighborhood leader, § 87(2)(b) § 87(2)(b) § 87(2)(b) provided the investigation with a phone statement, but could not recall what specifically occurred on the date of incident.

Findings and Recommendations

Explanation of Subject Officer Identification

§ 87(2)(b) and § 87(2)(b) alleged that they spoke to Det. Romance and an unidentified officer on the second floor of the 113th Precinct stationhouse, and that the unidentified officer refused to process his and § 87(2)(b)'s complaint (**Allegation H**). § 87(2)(b) and § 87(2)(b) both described the officer as a plainclothes officer on the second floor of the stationhouse. However, the

investigation was unable to identify the officer based on police documents, and none of the officers interviewed testified to the presence of a detective other than Det. Romance. Therefore this has been pleaded against an unidentified officer from the 113th Precinct Detective Squad.

Allegation A—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Derek Wilkins damaged § 87(2)(b) and § 87(2)(b)'s property.

Allegation B—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Robert Morris damaged § 87(2)(b) and § 87(2)(b)'s property.

Allegation C—Abuse of Authority: Police Officer Derek Wilkins entered and searched § 87(2)(b) in Queens.

Allegation D—Abuse of Authority: Police Officer Robert Morris entered and searched § 87(2)(b) in Queens.

§ 87(2)(b) testified that she was in her upstairs bedroom when she heard knocking on the back door of her home. As she walked to her stairway to walk downstairs, § 87(2)(b) heard a loud booming sound, followed by a voice asking if anyone was home. When § 87(2)(b) reached the first floor, she saw that PO Wilkins and PO Morris had knocked her front door open, damaging it in the process, and were standing in her living room. § 87(2)(b) asked the officers what they were doing inside her home, and the officers asked her the same question, adding an accusation that she had broken into the home and that she did not live there. PO Wilkins stated that the officers had received a call about a break in at the location, and that he had seen someone on the couch run out the back window. § 87(2)(b) stated that she was the only person home. PO Wilkins walked to the second floor followed by PO Morris and § 87(2)(b) asked PO Wilkins why he needed to go to the second floor, and he informed her that he needed to check for others inside the home. PO Wilkins looked inside each second floor room (Board Review 01). In a follow up phone call, § 87(2)(b) clarified that PO Wilkins and PO Morris entered and looked around her bedroom and her restroom, and looked into another bedroom from the hallway (Board Review 18).

§ 87(2)(b) testified that he was not at the incident location at the time that PO Wilkins and PO Morris entered and searched the home (Board Review 07). However, § 87(2)(b) provided photograph of the door which he had taken after the incident (Board Review 08).

PO Wilkins testified that as part of the Neighborhood Coordination Officer (NCO) program he had received complaints in the past regarding § 87(2)(b) and he had received specific complaints about people entering the home, which was reported to be vacant, dilapidated, and unsafe. On the date of incident, PO Wilkins received a call on his department cellular phone from § 87(2)(b) the leader of the local block civic association, who informed him that children had broken into § 87(2)(b) and that they were inside the house.

When PO Wilkins and PO Morris reached the front door, they knocked on the door. At that time, PO Wilkins was unaware if anyone was inside the home, but he noted that § 87(2)(b) informed him that there were children in the home. PO Wilkins observed that the hinges of the door were almost broken, and he pushed the door open. PO Wilkins stated that he did not damage the door, but that it was damaged before he and his partner arrived. The officers entered the home and met § 87(2)(b) and told her that they were there because they received a complaint about children

breaking into the home. The officers told § 87(2)(b) that the home was vacant, asked about her proof of residency, and then she searched for her proof of residency. The officers spoke to § 87(2)(b) as she walked up the stairs. The officers followed § 87(2)(b) into her room and her kitchen. PO Wilkins stated that he and his partners walked through the home to ensure that there were no children inside the home and added that they followed § 87(2)(b) as she searched for proof of residency. Later that day at the 113th Precinct stationhouse, PO Wilkins spoke to § 87(2)(b) who complained about damage to the door. PO Wilkins told § 87(2)(b) that the damage to their door was done previously, but that a report had been created so § 87(2)(b) could be compensated if he felt the officers damaged the door further (Board Review 09).

PO Morris' testimony was consistent with PO Wilkins' testimony regarding their previous knowledge of the home, and their relationship with the community as NCOs. PO Morris added that complaints they had received regarding § 87(2)(b) at community council and block association meetings included squatters and children smoking marijuana at the location, and community members had complained that the dilapidated house diminished the neighborhood's quality of life.

PO Morris stated that PO Wilkins knocked on the front door to the home, and that he possibly did too but he did not recall. PO Morris stated that PO Wilkins knocked on the door until the knocking caused the door to open. PO Morris stated that the door was already damaged, but that the knocking caused further damage and PO Wilkins later prepared a damage report. PO Morris also testified that he and PO Wilkins followed § 87(2)(b) through her kitchen, living room area, and a bedroom upstairs as she searched for proof of address. PO Morris stated that the officers looked inside the rooms as they followed § 87(2)(b) in order to ensure their safety, and check for children inside the home. PO Morris added that the officers also looked inside the rooms of the home because it was dilapidated, and therefore it was a danger to anyone inside it (Board Review 10). PO Morris' memo book entry from the date of showed that he recorded that § 87(2)(b) had called PO Wilkins' phone to report a break-in by four kids at the incident location (Board Review 11).

§ 87(2)(b) provided a telephone statement to the CCRB. § 87(2)(b) could not recall the specific events of June 14, 2017; however, he stated that he knew the home on Anderson Road to be a vacant home, and as community leader he knew the home to be the source of many neighborhood safety complaints including complaints regarding minors entering the vacant home. § 87(2)(b) also confirmed that he had PO Wilkins' department phone number. Although § 87(2)(b) could not recall if he called PO Wilkins on that date of incident, he added that he called PO Wilkins and PO Morris frequently and that he has called them about issues at § 87(2)(b) (Board Review 12).

In Brigham City v. Stuart 547 U.S. 398, the court established that officers could make a warrantless entry into a home if they have a reasonable basis for believing an occupant is seriously injured or imminently threatened with serious injury (Board Review 14).

PO Morris and PO Wilkins stated that they entered the home based on the call they had received from § 87(2)(b) which led them to believe that there were children present in the home, and that the children were in danger based on the dilapidated state of the home. The officers also stated

that they were not certain of children inside the home, but were acting on the information received from § 87(2)(b) who was a known source of information regarding the community. The officers' subsequent search of the home was also based on the concern that children inside were in danger and after speaking to § 87(2)(b) the officers began their search for the reported children.

As Brigham City v. Stuart notes, officers can make warrantless entries in order to aid or prevent imminent serious injury, and the officers acted on information from a known source. For those reasons, the officers' reasons for the entry and subsequent search meet the standard held by and Brigham City v. Stuart. § 87(2)(g)

Allegation E—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Robert Morris damaged § 87(2)(b) and § 87(2)(b)'s property.

§ 87(2)(b) testified that as PO Wilkins and PO Morris walked through her home, PO Morris entered the second floor restroom. When he exited the restroom, PO Morris stated that the home was falling apart and touched a wall that was in between § 87(2)(b)'s room and the hallway. As a result of touching the wall, the wall was damaged and a piece of the wall came off. After the incident, § 87(2)(b) discovered that her toilet seat had been broken, and she determined that PO Morris had broken the toilet seat while he was inside her restroom because the toilet seat was not broken before he entered the restroom (Board Review 01).

§ 87(2)(b) provided photos of the damaged wall (Board Review 15) and the damaged toilet seat (Board Review 16). § 87(2)(b) took the photos on the date of incident (Board Review 17).

PO Morris denied damaging a toilet seat in the residence, and added that he did not he did not enter the restroom. During his CCRB interview, PO Morris was shown Photo 14 of the damaged toilet seat (Board Review 16). PO Morris denied causing the damage to the toilet seat. PO Morris denied damaging any wall inside the residence. PO Morris was shown Photo 9 of the damaged wall (Board Review 15). PO Morris denied having caused the damage in the photo. PO Morris added that the wall was made of plaster and that one would injure their hand if they attempted to damage that kind of wall (Board Review 10).

PO Wilkins denied that PO Morris damaged anything inside the residence. During his CCRB interview, PO Wilkins was shown Photo 9 (Board Review 15) and added that many parts of the home resembled the photo, as a result of its dilapidated state (Board Review 09).

§ 87(2)(g)

Allegation F—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Derek Wilkins threatened to arrest § 87(2)(b)

§ 87(2)(b) testified that when the officers entered her home, they accused her of breaking into the home and told her that she did not live at the residence. § 87(2)(b) stated that she did, and the officers asked her for proof of address. PO Wilkins told § 87(2)(b) that the home was vacant, and that she should not live there. PO Wilkins then added, “We could arrest you right now, so I suggest you leave” (Board Review 01).

PO Wilkins denied stating, "We could arrest you right now, so I suggest you leave" to § 87(2)(b). However, PO Wilkins testified that he and PO Morris informed § 87(2)(b) that she needed to provide documentation that she was a resident of the home, or that she had reason to be inside the home. Otherwise, she was subject to arrest when the owner or the bank discovers her presence and has her evicted, or informs officers that she was trespassing. PO Wilkins stated that he and PO Morris informed § 87(2)(b) that if she was trespassing, it was in her best interest to obtain her residency documentation, or otherwise she should leave the residence. PO Wilkins stated that both he and PO Morris were speaking to § 87(2)(b) and neither was taking the lead. PO Wilkins also noted that there was nothing he could do to remove someone from a home (Board Review 09).

PO Morris denied that PO Wilkins stated, “We could arrest you right now, so I suggest you leave.” PO Morris added that he informed § 87(2)(b) that she eventually could and would be placed under arrest for being in a vacant home. PO Morris stated that PO Wilkins did not instruct § 87(2)(b) to leave at any point. PO Morris also added that § 87(2)(b) could not be arrested during the incident, because the officers did not receive a complaint from the owning bank or the management company responsible for the residence (Board Review 10).

It is undisputed that the topic of arrest was discussed between § 87(2)(b) and the officers.

[illegible]

Allegation G—Abuse of Authority: At § 87(2)(b) in Queens, Police Officer Robert Morris seized § 87(2)(b) s property.

§ 87(2)(b) testified that PO Morris asked her for her identification, which she provided. When the officers left her home, § 87(2)(b) realized that PO Morris had not given back her ID. § 87(2)(b) saw that PO Morris was still outside the home, and told him that he had not returned her ID. PO Morris stated that he did not know what she was talking about in regards to her ID. § 87(2)(b) was not given her ID back, and the officers left the incident location (Board Review 01).

When § 87(2)(b) appeared at the CCRB for her interview, a day after the incident, she provided a NY State ID. In a follow up telephone statement, § 87(2)(b) clarified that she was able to provide an ID to the CCRB after PO Morris seized her ID because she had two IDs (Board Review 18).

PO Morris stated he obtained § 87(2)(b)'s ID, but noted that he was not certain and PO Wilkins might have. PO Morris stated that he obtained § 87(2)(b)'s ID because he wanted to know who he was speaking with. PO Morris returned § 87(2)(b)'s ID before the officers left the home (Board Review 10).

PO Wilkins was unaware if PO Morris obtained § 87(2)(b)'s identification (Board Review 09).

It is undisputed that PO Morris handled § 87(2)(b)'s ID; § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b).

Allegation H—Abuse of Authority: At the 113th Precinct stationhouse, Detective Jessica Romance did not process § 87(2)(b) and § 87(2)(b)'s complaint regarding officers.

§ 87(2)(b) testified that he and § 87(2)(b) went to the 113th Precinct stationhouse to file a complaint regarding what had just taken place at their home. § 87(2)(b) and § 87(2)(b) were taken to the second floor of the stationhouse to speak with Det. Romance and an unidentified officer. § 87(2)(b) explained what had happened at his home to the officers, and § 87(2)(b) asked Det. Romance if he could file a report. Det. Romance and the unidentified officer told § 87(2)(b) that he had to wait until PO Wilkins and PO Morris appeared at the stationhouse to file a report. § 87(2)(b) asked if he and § 87(2)(b) could do so without PO Wilkins and PO Morris' presence, and the unidentified officer stated that they could not (Board Review 07).

§ 87(2)(b) also testified that she and § 87(2)(b) were told wait for PO Wilkins and PO Morris to appear. § 87(2)(b) and § 87(2)(b) did not want to wait for PO Wilkins and PO Morris to appear and § 87(2)(b) told Det. Romance and the unidentified officer, "We want to file a complaint." Det. Romance and the unidentified officer told them that there was nothing to report (Board Review 01).

Det. Romance testified that § 87(2)(b) and § 87(2)(b) appeared at the 113th Precinct stationhouse as she worked alone at her desk. § 87(2)(b) was irate, screamed about an issue he had involving officers appearing at his home, and said that he was tired of it. Det. Romance stated that she requested PO Wilkins and PO Morris appear at the stationhouse in order to talk about the incident to possibly reach a resolution. As they waited, Det. Romance told § 87(2)(b) that there was a call of burglary at his residence and she asked him if he had proof of residence. § 87(2)(b) continued to act irate and stated, "Fuck this," and reiterated that he was tired of the situation. § 87(2)(b) stated that he wanted to file a complaint because he was tired of officers coming to his house and people calling 911 about him. Det. Romance attempted to ask § 87(2)(b) about what had happened in attempt to obtain information and file a report. § 87(2)(b) did not respond and continued screaming about how he was tired of police presence at his home. § 87(2)(b) stated

that he was not going to speak with the officers, he cursed, stated that he going to call his lawyer, and he and § 87(2)(b) left the stationhouse. Det. Romance did not recall if any officer told § 87(2)(b) that he could not file a complaint. Det. Romance stated that § 87(2)(b) did not speak while she and § 87(2)(b) were at the stationhouse, and she did not recall if § 87(2)(b) stated that she and § 87(2)(b) wanted to file a complaint (Board Review 19).

NYPD Patrol Guide Procedure 207-31 instructs officers on how to record and initiate complaints from civilians alleging misconduct by uniformed members of the service. The procedure instructs officers to interview complainants and provide them with a civilian complaint form when they make complaints in person at an NYPD facility (Board Review 20).

§ 87(2)(g), § 87(2)(b)

Additionally, Det. Romance did not provide § 87(2)(b) with an civilian complaint form, as instructed by NYPD Patrol Guide Procedure 207-31, despite her awareness that § 87(2)(b) and § 87(2)(b) intended to file a complaint and the fact that she had details of the complaint.

§ 87(2)(g)

Allegation I—Abuse of Authority: An officer did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers at the 113th Precinct stationhouse.

§ 87(2)(b) and § 87(2)(b) both testified that when they attempted to file a complaint with Det. Romance, an unidentified officer was present on the second floor with her. The unidentified officer also refused to process their complaint (Board Review 01 and Board Review 07).

Det. Romance testified that she was working alone on the second floor of the 113th Precinct stationhouse. Det. Romance did not recall if § 87(2)(b) spoke to any officer other than herself, PO Wilkins, and PO Morris (Board Review 19).

PO Wilkins did not recall if the civilians spoke to any detectives (Board Review 09) and PO Morris only recalled that they spoke Det. Romance (Board Review 10).

§ 87(2)(g)

Allegation J—Abuse of Authority: At the 113th Precinct stationhouse, Police Officer Derek Wilkins did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.
Allegation K—Abuse of Authority: At the 113th Precinct stationhouse, Police Officer Robert Morris did not process § 87(2)(b) and § 87(2)(b) s complaint regarding officers.

§ 87(2)(b) stated that when PO Wilkins and PO Morris appeared at the second floor of the stationhouse, § 87(2)(b) asked them why they had kicked down his door, and the officers explained that they had received a call about an incident at the residence. § 87(2)(b) stated that he wanted to make a report and PO Wilkins and PO Morris told him that he could not make a report because he had no proof of address. § 87(2)(b) told the officers that there was nothing left to talk about, and that he had already made complaints with the CCRB and IAB. PO Morris gave § 87(2)(b) a card, and instructed him to have his lawyer call. § 87(2)(b) and § 87(2)(b) left the stationhouse. During his CCRB interview, § 87(2)(b) noted that he was not sure if he used the word “Report,” or “Complaint” while he spoke to the officers, but he wanted to file a complaint (Board Review 07).

§ 87(2)(b) stated that when PO Wilkins and PO Morris appeared at the stationhouse, § 87(2)(b) yelled angrily about what had happened at his residence. Det. Romance told § 87(2)(b) to calm down, and § 87(2)(b) stated that he was tired of repeatedly proving his residency. One of the officers told § 87(2)(b) that a report was not necessary because they had received a call about a break-in at the residence. § 87(2)(b) and § 87(2)(b) left without filing a complaint (Board Review 01).

PO Wilkins testified that § 87(2)(b) appeared at the stationhouse and stated that he was going to file a complaint regarding the possible damage done to his door. PO Wilkins told § 87(2)(b) that the door was damaged before the officers arrived. However, PO Wilkins informed him that a report had already been created regarding possible damage to the hinges so he could be compensated if he felt that the officers had damaged the door further. After approximately one to two minutes, PO Wilkins and PO Morris left the stationhouse because their shifts had ended. PO Wilkins was unaware if any officer gave § 87(2)(b) a civilian complaint form, or if § 87(2)(b) asked any other officer to file a complaint. PO Wilkins stated that he neither he nor PO Morris declined to process § 87(2)(b)'s complaint (Board Review 09).

PO Morris testified that § 87(2)(b) appeared at the stationhouse in an irate state, and yelled that officers had gone into his home. § 87(2)(b) expressed that he was going to file a complaint. The officers informed § 87(2)(b) that the paperwork had been done about the damaged door, that the Comptroller's Office would fix the damaged door, and that he could file a complaint with the CCRB. An officer provided § 87(2)(b) with the number to the CCRB; PO Morris did not recall who gave § 87(2)(b) the number. § 87(2)(b) was not provided with paperwork in order to file a CCRB complaint. PO Morris stated that § 87(2)(b) did not ask to file a complaint while he was at the stationhouse, and that he intended to in the future (Board Review 10).

Det. Romance did not recall the conversation between § 87(2)(b), PO Wilkins, and PO Morris, except that § 87(2)(b) continued cursing. Det. Romance did not recall if § 87(2)(b) or § 87(2)(b) attempted to file a complaint with PO Morris or PO Wilkins (Board Review 19).

As noted above, NYPD Patrol Guide Procedure 207-31 instructs officers to interview complainants and provide them with a copy of the civilian complaint form to fill out. In addition, when a complainant appear in person but does not immediately wish to file their complaint, officers are instructed to provide the complainant with a copy of a civilian complaint report,

advise them regarding where to make a complaint, and provide the number to the CCRB (Board Review 20).

§ 87(2)(g) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Squad:

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date